

LACEY TOWNSHIP SCHOOL DISTRICT
COMPUTER EDUCATION & SERVICES DEPARTMENT
LANOKA HARBOR NEW JERSEY 08734-0206

RECEIVED

JAN 24 2002

FCC MAIL ROOM

WILLIAM R. LAKE
DISTRICT SUPERVISOR
LACEY TOWNSHIP HIGH SCHOOL
HAINES ST
PO BOX 206
LANOKA HARBOR NJ 08734-0206

January 23, 2002

Federal Communications Commission
Office of the Secretary
9300 East Hampton Drive
Capital Heights, MD 20473

Dear Sir/Madam:

Re: CC Docket NOS. 96-45 and 97-21,
Universal Service Administrative Company, Schools and Libraries Division:
Letter of Appeal on Administrator's Decision on Waiver Request,
December 26, 2001, Application Number 258994 for 2001-2002,
Contact: Dr. William Lake (voice) 609-971-2032 (fax) 609-971-5882

The Lacey Township School District is appealing the Universal Service Administrative Company (USAC), Schools and Libraries Division decision of December 26, 2001 to deny the appeal of discount funding for the District's telecommunication services for 2001-2002 year. The USAC decision to deny an appeal for a waiver of the filing window deadline for receipt of FORM 471 without consideration of circumstance was due to their interpretation and application of Federal Communications Commission (FCC) rules.

In light of this decision, the District appeals to the FCC to consider the information provided through voice contact with USAC; the instructions provided for FORM 471; and the results of combining these pieces of information. The District was planning for Internet access for all classrooms in the school district and wanted to apply for Universal Service Fund discounts on internal connections beside the discounts on telecommunication services. The client services telephone support for USAC advised the District to combine the telecommunication services request with the internal connection request on a single FORM 470 without providing the information that multiple FORM 471s could be applied to the single FORM 470. Following the telephone support direction, along with the assumption of one-to-one correspondence between FORM 470 and FORM 471 submissions, resulted in a 56-page FORM 471 due to the complexity of the internal connections. The amount of information required to complete FORM 471 for

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telecommunication services falls within the estimated burden of four (4) hours per response printed on the instructions for FORM 471. The detailed requirements to complete FORM 471 for internal connections is directly related to the size and scope of the infrastructure project making an estimated time on task impossible to calculate. In the case in question, the requirements took 30 additional days to precisely and accurately complete the internal connection segment of FORM 471 in the 56-page submission consistent with the USAC's telephone advice. By advising clients to combine all discounts on FORM 470 without considering the complexity of the internal connections results in a correct answer in isolation of the overall objective of submitting FORM 471 in a timely manner.

The District respectfully requests the FCC to consider the two pages of the originally submitted FORM 471 for telecommunication services that would have followed a separately submitted FORM 470 even though the original FORM 471 arrived after the filing window deadline. Your review and affirmative response will allow the Lacey Township School District to receive the appropriate amount of funds for which it is entitled and had received from the Universal Service Fund the three previous years. I have attached a copy of the USAC appeal, appeal decision letters, along with the first page of the instructions for FORM 471 denoting the Estimated Average Burden Hours Per Response. If you have any questions, please call me at (609) 971-2032.

Sincerely,



William Lake, Ed.D.
Supervisor of Computer Education &
Services

WL:hc
Attachments
pc Richard Starodub, Superintendent

**YOUR FORM 471 HAS BEEN RECEIVED -
BUT POSTMARKED AFTER THE JANUARY 18 WINDOW CLOSED**

We're sending this card to thank you for your recent Form 471 application but also to let you know that your application, Block 6 Certifications, and/or Item 21 attachments were postmarked after the 2001-2002 filing window closed at 11:59 p.m. ET on January 18, 2001.

We are holding your application/attachments. However, your Form 471 application will not be considered for discount funding for the 2001-2002 Funding Year. Sufficient funds are not available.

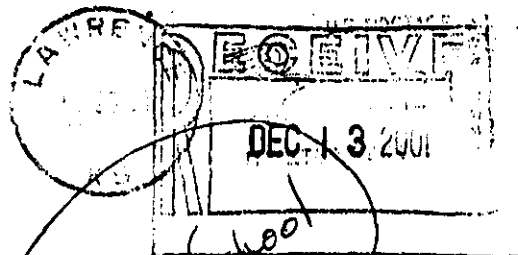
For more information about the processing of 2001-2002 applications, about appealing the status of your Form 471 application, or about plans for the 2002-2003 application process, please visit our web site at www.sl.universalservice.org. If you do not have access to the Internet, please call the Client Service Bureau at 1-888-203-8100.

Schools and Libraries Division
Universal Service Administrative Company

USAC

Schools and Libraries Division
P.O. Box 7026
3833 Greenway Drive
Lawrence, KS 66044-7026

BILL LAKE
LACEY TOWNSHIP SCHOOL DISTRICT
200 WESTERN BLVD, LANOKA HARBOR
LANOKA HARBOR, NJ
08734



ATTENTION:
2001-2002 E-RATE APPLICANTS
Applicant Form Identification

MAILING DATE:
November 28, 2001

**LACEY TOWNSHIP SCHOOL DISTRICT
COMPUTER EDUCATION & SERVICES DEPARTMENT
LANOKA HARBOR NEW JERSEY 08734-0206**

**WILLIAM R. LAKE
DISTRICT SUPERVISOR
LACEY TOWNSHIP HIGH SCHOOL
HAINES ST
PO BOX 206
LANOKA HARBOR NJ 08734-0206**

December 20, 2001

**Letter of Appeal
Schools and Libraries Division
Box 125--Correspondence Unit
80 South Jefferson Road
Whippany, New Jersey 07981**

Dear Sirs:

Re: Letter of Appeal

I wish to appeal the decision as notified by a postcard mailed on November 28, 2001 to reject Lacey Township School District FORM 471 Applicant Form Identifier 143 for discount funding for the 2000-2001 funding year. The FORM 471 was postmarked after the filing window due to the complexity of the internal connections resulting in the 56-page submission; however, this form also included basic telephone and long distance service. Rather than filing multiple FORM 471s to complement the FORM 470 submission, I was advised that all school districts that applied for basic telephone and long distance service would receive the e-rate discount even if filed outside the initial filing window.

Please examine the forms again and approve the segment of the FORM 471 referring to basic telephone and long distance service. If you have any questions, call me at 609-971-2032.

Sincerely,



**William Lake
Supervisor of Computer Education &
Services**

**WL:hc
pc Richard Starodub, Superintendent**



**UNIVERSAL SERVICE
ADMINISTRATIVE CO.**

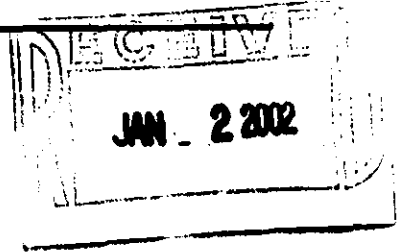
Box 125 - Correspondence Unit
100 South Jefferson Road
Whippany, New Jersey 07981

SCHOOLS AND LIBRARIES DIVISION

Administrator's Decision on Waiver Request

December 28, 2001

William Lake, Supervisor of Computer Education & Services
Lacey Township School District
Haines Street, P.O. Box 206
Lanoka Harbor, NJ 08734-0206



Re: Your Request for Waiver of Application Window For Program Year 4 2001-2002

Application Number: 258994

Date Request Received: December 26, 2001

The Schools and Libraries Division received your request, cited above, for a waiver of the application window deadline for the Schools and Libraries Universal Service Support Mechanism (E-Rate).

The Federal Communications Commission (FCC) rules do not permit the Schools and Libraries Division (SLD) to consider your request. Therefore, your request for a waiver of the application window deadline may not be considered by SLD. If you wish to appeal this decision, you may submit an appeal to the FCC at the following address:

**Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Room TW-A325
Washington, DC 20554**

You must file an appeal with the FCC no later than 30 days from the date of this letter, in order for your appeal to be considered by the FCC.

**Schools and Libraries Division
Universal Service Administrative Company**

**Schools and Libraries Universal Service
Services Ordered and Certification Form**

Estimated Average Burden Hours Per Response: 4 hours

**Instructions for Completing the
Schools and Libraries Universal Service
Services Ordered and Certification Form (FCC Form 471)****CONTENTS**

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NOTICE

Section 54.504 of the Federal Communications Commission's (FCC) rules requires all schools and libraries ordering services that are eligible for universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, which is the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC). 47 C.F.R. § 54.504. For purposes of this form, the Universal Service Administrator will be referred to as the "SLD" or "Fund Administrator." The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data collected in Form 471 will be used to ensure that schools and libraries are receiving the appropriate discounts, complying with the eligibility requirements in 47 C.F.R. § 54.501, and taking steps required by 47 C.F.R. § 54.504 that are necessary to use the discounted services effectively. All schools and libraries ordering services eligible for universal service discounts must file this form, individually or as part of a consortium.